

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

PATRICIA PLUMMER,

Plaintiff,

v.

ACCESS NURSE, P.C.,

Defendant.

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No. 3:13-CV-88-PLR-CCS

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is the parties' Third Joint Motion to Amend Scheduling Order [Doc. 34]. In this motion, the parties move the Court, for the third time, to amend the Scheduling Order to extend the deadline for completing discovery and the deadline for filing dispositive motions. In support of their request, the parties state that they have recently worked together to resolve most aspects of complex discovery dispute. They also submit that they have taken a number of depositions and are in the process of concluding the Plaintiff's deposition.¹

The Court's has considered the parties' joint position and the procedural posture of this case, and the Court finds that the request for relief is well-taken, in part. This case was filed over fifteen months ago, but the parties have not yet completed discovery in this matter. The Court is not inclined to extend the period for discovery much farther, and thereby, encourage only incremental progress toward the completion of discovery. The Court finds that it is appropriate to afford the parties' a final extension of the discovery deadline and of the deadline for filing

¹ Due to Plaintiff's medical condition, defense counsel has taken Plaintiff's deposition in two to three hour increments with at least one day of break in between each session in order to accommodate Plaintiff.

dispositive motions. The Court, however, finds that the new deadlines proposed by the parties afford unnecessarily long extensions.

Accordingly, the Third Joint Motion to Amend Scheduling Order [Doc. 34] is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. The parties shall have up to and including **August 30, 2014**, in which to complete all discovery;
2. The parties shall have up to and including **September 30, 2014**, in which to file any dispositive motions;
3. All other dates and deadlines in this case remain unchanged; and
4. The deadlines set in this Memorandum and Order will not be extended absent a showing of **extraordinary good cause**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge